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cc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
 ) Before the Examiner  
Matthew M. Morrison et al. ) AMARELD Jr., Robert W.  
 )  
Application No. 10/775,388 ) Group Art Unit  
 ) 3738  
Filed February 10, 2004 )  
 )  
MULTI-AXIAL BONE ANCHOR SYSTEM )

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

1. List of All Patents, Publications, U.S. Applications, or Other Information

Pursuant to the provisions of 37 CFR 1.56, 1.97, and 1.98, Applicant requests consideration of the references listed on the attached PTO/SB/08 form(s) (commonly referred to as a PTO-1449 form) and/or the additional information identified below.

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Date

27 December 2005

12/30/2005 YPOLITE1 00000018 10775388

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Information Disclosure Statement  
Serial No. 10/775,388  
Group Art Unit 3738  
#348053

2. Enclosed Legible Copies

- a. A legible copy of each foreign patent document and publication listed on the PTO/SB/08 form is enclosed,
- ☒ i. except, a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior U.S. Patent Application Serial No. 09/978,932, filed October 16, 2001 from which the present application claims priority under 35 U.S.C. §120.
- ☐ ii. except, a copy is not provided for each cumulative reference and enclosed reference identified below:
- ☐ b. A copy of the specification and drawings for each cited unpublished U.S. application.
- ☐ c. A copy of a Search Report or Written Opinion from a foreign patent office is also enclosed.
- ☐ d. Consideration of the enclosed additional and/or below discussed information is requested.

3. Concise Explanation of Relevance for Non-English Language Information

For each non-English language reference listed on the attached SB/08 form(s), reference is made to:

- ☐ 3a. an English language translation submitted herewith,
- ☐ 3b. foreign patent office Search Report (in the English language) submitted herewith,
- ☐ 3c. an English language translation of a foreign patent office Search Report submitted herewith,
- ☐ 3d. the concise explanation contained in the present application at page(s) \_\_\_\_\_,
- ☐ 3e. the concise explanation set forth in the attached English language abstract,
- ☐ 3f. a copy of a related patent publication (in the English language) cited herewith,

Foreign Patent Document	Corresponding English Language Patent Document

- ☐ 3g. the following concise explanation: \_\_\_\_\_.

2. Enclosed Legible Copies

- a. A legible copy of each foreign patent document and publication listed on the PTO/SB/08 form is enclosed,
- ☒ i. except, a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior U.S. Patent Application Serial No. 09/978,932, filed October 16, 2001 from which the present application claims priority under 35 U.S.C. §120.
- ☐ ii. except, a copy is not provided for each cumulative reference and enclosed reference identified below:
- ☐ b. A copy of the specification and drawings for each cited unpublished U.S. application.
- ☐ c. A copy of a Search Report or Written Opinion from a foreign patent office is also enclosed.
- ☐ d. Consideration of the enclosed additional and/or below discussed information is requested.

3. Concise Explanation of Relevance for Non-English Language Information

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- ☐ 3d. the concise explanation contained in the present application at page(s) \_\_\_\_\_,
- ☐ 3e. the concise explanation set forth in the attached English language abstract,
- ☐ 3f. a copy of a related patent publication (in the English language) cited herewith,

Foreign Patent Document	Corresponding English Language Patent Document

- ☐ 3g. the following concise explanation: \_\_\_\_\_.

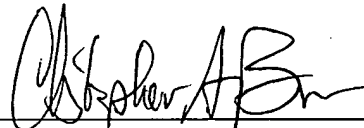
5. Certification- Statement Under 37 CFR 1.97(e)

- ☐ 5a. It is hereby certified that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ 5b. A copy of a dated communication from a foreign patent office which clearly shows the statement is being submitted within three (3) months of the date on the communication is enclosed.
- ☐ 5c. It is hereby certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b). It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By



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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 3

Applicant's Substitute for 1449A<sup>7</sup>

Atty. Docket No.

4002-3479/PC420.08

Serial No.

10/775,388

Applicant

Matthew M. Morrison et al.

Filing Date

October 16, 2001

Group Art Unit

3732

Examiner Name

not yet assigned

**U.S. PATENT DOCUMENTS**

* Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	3,191,486	6/1965	Gibbens			
	4,627,774	12/1986	Bradley			
	4,717,299	1/1988	Underwood			
	4,729,703	3/1988	Sato			
	5,108,395	4/1992	Laurain			
	5,129,899	7/1992	Small et al.			
	5,154,560	10/1992	Copito			
	5,190,423	3/1993	Ewing			
	5,234,431	8/1993	Keller			
	5,261,910	11/1993	Warden et al.			
	5,290,288	3/1994	Vignaud et al.			
	5,304,179	4/1994	Wagner			
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	5,380,326	4/1995	Lin			
	5,439,463	8/1995	Lin			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

Examiner

Date Considered

\*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 2  Applicant's Substitute for 1449A <sup>7</sup>				Atty. Docket No. <b>4002-2865</b>		Serial No. <b>09/978,932</b>	
				Applicant <b>Matthew M. Morrison et al.</b>			
				Filing Date <b>October 16, 2001</b>		Group Art Unit <b>3732</b>	
				Examiner Name <b>not yet assigned</b>			
<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
		5,603,713	2/1997	Aust et al.			
		5,613,967	3/1997	Engelhardt et al.			
		5,613,968	6/1997	Lin			
		5,616,142	4/1997	Yuan et al.			
		5,665,089	9/1997	Dall et al.			
		5,728,127	3/1998	Asher et al.			
		5,735,853	4/1998	Olerud			
		5,797,912	8/1998	Runciman et al.			
		5,810,823	9/1998	Klaue et al.			
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		6,159,213	12/2000	Rogozinski			
		6,224,602	5/2001	Hayes			
		6,248,105	6/2001	Schläpfer et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
							Yes    No
		2 758 971	8/1998	France			
		2 763 828	12/1998	France			
		197 20 782 A1	11/1998	Germany			
Examiner				Date Considered			
<small>*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 3  Applicant's Substitute for 1449A <sup>7</sup>				Atty. Docket No. <b>4002-3479</b>		Serial No.	
				Applicant <b>Matthew M. Morrison et al.</b>			
				Filing Date <b>February 10, 2004</b>		Group Art Unit <b>3732</b>	
				Examiner Name <b>not yet assigned</b>			
<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
		5,486,176	1/1996	Hildebrand et al.			
		5,520,688	5/1996	Lin			
		5,527,315	6/1996	Jeanson et al.			
		5,531,747	7/1996	Ray			
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		5,665,089	9/1997	Dall et al.			
		5,728,127	3/1998	Asher et al.			
		5,735,853	4/1998	Olerud			
		5,797,912	8/1998	Runciman et al.			
		5,810,823	9/1998	Klaue et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
							Yes    No
Examiner				Date Considered			
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